Notice of Intent to Certify Sole Source

To: Interested Parties

From: David C. Johnson

CC: ITS Project Number 46438

Date: June 1, 2021

Re: Sole Source Certification Number 4394 for ADSi Records Management Software Maintenance and Support for the Mississippi Department of Public Safety (MDPS)

Contact Name: Wesley Wright

Contact Phone Number: 601-432-8103

Contact E-mail Address: Wesley.Wright@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4394 for the Mississippi Department of Public Safety (MDPS), please be advised that ITS intends to award Application Data Systems, Inc., as the sole source provider of ADSi Records Management Software Maintenance (RMS) through June 30, 2022, in an amount not to exceed $41,350.00. MDPS is making a business decision to continue utilizing ADSi Records Management Software Maintenance and Support and will conduct a competitive procurement by June 30, 2022. If the competitive procurement is not complete by June 30, 2022, then this Sole Source certification is valid through June 30, 2024. Please be advised that ITS will determine if additional enhancements, upgrades, or support are within scope during the certification period and may increase the spending authority accordingly. Should Application Data Systems, Inc. change its name during this certification period, then ITS will determine if a recertification is necessary. For an explanation regarding Mississippi state law, policy and procedures for sole source procurements, refer to Attachment C: Sole Source Procurement Overview.

Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

   MDPS' Mississippi Bureau of Investigation (MBI) currently uses the CADForce, MapForce, MTDForce, AVLForce, DataForce, and Archive modules within the Record Management System (RMS). The ADSi RMS provides the Mississippi Bureau of Investigation with the tools to manage its investigation case load while providing a historical electronic archive of case information and agency level reporting. The ADSi software support allows MBI to receive software upgrades and routine

maintenance. **The software support also includes Suspicious Activity support, Request for Information support, and Mobile Intake Processing support. MDPS has made a business decision to continue using the RMS ADSi software and support. The customer's sole source certification request is included as Attachment A.**

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

   MBI currently has files that were formerly in a microfilm format that were converted and uploaded to the RMS system. The MBI Intelligence Analysts are able to read the converted files that have been stored in the ADSi Archive module within ADSi's Records Management System. Some of the cases stored in the archive module have historical significance relevant to the State of Mississippi. The customer's sole source certification request is included as Attachment A.

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for the product or services:

   All ADSi software currently installed and in use by MDPS, including CADForce, MapForce, MTDForce, AVLForce, and all DataForce modules including Case Management, are the sole source and proprietary products of ADSi. All ADSi software is manufactured, maintained, supported, trained, and sold exclusively by ADSi. There are no other entities authorized by ADSi to resell ADSi software or services. All ADSi software is designed to seamlessly integrate with the other ADSi software products. The Vendor's sole source certification letter is included as Attachment B.

Schedule

Task	Date
First Advertisement Date	06/01/21
Second Advertisement Date	06/08/21
Response Deadline From Objectors	06/15/21 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 06/16/21

Project Details

In April 2011, using the Sole Source process at that time, ITS certified the Records Management System, services, and maintenance as sole source for five years. A Software License & Maintenance Agreement was executed with Application Data Systems, Inc. (ASDi). In June 2015, ITS issued Sole Source No. 4102 and received no objections. An Amendment was executed to add additional modules and included two years of maintenance. In June 2018, ITS issued Sole Source No. 4278 and received no objections. An Amendment was executed to add three years of maintenance. MDPS has made the business decision to continue to use the existing ADSi Record Management Software Maintenance and Support. The total spend to date is $657,614.00.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the ADSi RMS maintenance and support should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to Application Data Systems, Inc .

1.1   Interested Party Information

    1.1.1   Contact Name, Phone Number and email address

    1.1.2   Company Website URL, if applicable

1.2   Objection to Sole Source Certification

    1.2.1   Interested parties must present specific objections to the Sole Source certification using the criteria listed above.

    1.2.2   A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.

1.3   Comments will be accepted at any time prior to Tuesday, June 15, 2021, at 3:00 p.m. (Central Time) to Wesley Wright at Wesley.Wright@its.ms.gov or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Wesley Wright to verify the receipt of their Responses. Responses received after the deadline will be rejected.

1.4   Interested Party responses should include the following information:

> **SUBMITTED IN RESPONSE TO**
> **Sole Source Certification No. 4394-46438**
> **Accepted until June 15, 2021 @ 3:00 p.m.,**
> **ATTENTION: Wesley Wright**

If you have any questions concerning the information above or if we can be of further assistance, please contact Wesley Wright at 601-432-8103 or via email at Wesley.Wright@its.ms.gov.

Attachment A: Customer Sole Source Certification Request
Attachment B: Vendor Correspondence
Attachment C: Sole Source Procurement Overview

Attachment A

ITS
mississippi department of
Information Technology Services

Sole Source Certification Request

Project Title: MBI RMS Maintenance	**Stimulus (ARRA) Funds? Yes __ No _X_**

Customer Contact Information

Agency/Public University: Department of Public Safety Address: P.O. Box 958 Jackson, MS 39205	Contact Person: Clay Johnston Phone: 601-933-2606 Fax: Email Address: cjohnston@dps.ms.gov
MAGIC Customer Number (only required from state agencies): 7000000197	Division/Dept.: Handmail: ☐ Yes ☐ No

Project Summary *Narrative Description of Project* (include details of original acquisition if applicable): In April 2011, ITS certified using the Sole Source process at that time, the Records Management System, services, and maintenance for five years. A Software License & Maintenance Agreement was executed with Application Data Systems, Inc. (ASDi). In June 2015, ITS issued Sole Source No. 4102 and received no objections and an Amendment was executed to add additional modules and included two years of maintenance. In June 2018, ITS issued Sole Source No. 4278 and received no objections. An Amendment was executed to add three years of maintenance. MDPS has made the business decision to continue to use the existing ADSi Record Management Software Maintenance and Support. The total spend to date is $657,614.00.

ITS Acquisition Approval (CP-1) should be effective through this date (Please allow time for all vendor invoices to be paid):

Cost Estimates *Fiscal Year*	*Initial Costs*	*Ongoing Costs*	Time Constraints Item Needed by: 06/30/21 Funds Expire: 06/30/21	Anticipated Lifecycle of Products/System (i.e. estimated years of effective use): 3 years
FY22		$41,350.00	Discuss Funding (e.g. how much of needed funding is definite; total project budget; any matching or other non-state funds). This project is funded with agency funds.	
FY23				
FY24				
Total		$41,350.00		

Acquisition Details

Items Requested	Quantity	Description	Building Location(s)
Annual Maintenance		Annual maintenance and support	Mississippi Bureau of Investigation Statewide

Describe platform & infrastructure (connectivity; software/hardware platforms; utilization of State Data Center resources: mainframe, eGovernment portal, payment engine, document management, hosting). For equipment or hosting outside the State Data Center, attach justification

Progress to Date: What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? Project request has been submitted to ITS. Vendor quote and Sole Source letter has been received.

Sole Source Certification Note: Certification must be renewed for each revision or continuation of previous Sole Source Approvals.

Specific business requirements to be met by the requested products or services: MDPS' Mississippi Bureau of Investigation (MBI) currently uses the CADForce, MapForce, MTDForce, AVLForce, DataForce, and Archive modules within the Record Management System (RMS). The ADSi RMS provides the Mississippi Bureau of Investigation with the tools to manage its investigation case load while providing a historical electronic archive of case information and agency level reporting. The ADSi software support allows MBI to receive software upgrades and routine maintenance. The software support also includes Suspicious Activity support, Request for Information support, and Mobile Intake Processing support. MDPS has made a business decision to continue using the RMS ADSi software and support.

Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality):
MBI currently has files that were formerly in a microfilm format that were converted and uploaded to the RMS system. The MBI Intelligence Analysts are able to read the converted files that have been stored in the ADSi Archive module within ADSi's Records Management System. Some of the cases stored in the archive module have historical significance relevant to the State of Mississippi.. The customer's sole source certification request is included as Attachment A.

Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or evaluated): All ADSi software currently installed and in use by MDPS, including CADForce, MapForce, MTDForce, AVLForce, and all DataForce modules including Case Management, are the sole source and proprietary products of ADSi. All ADSi software is manufactured, maintained, supported, trained, and sold exclusively by ADSi. There are no other entities authorized by ADSi to resell ADSi software or services. All ADSi software is designed to seamlessly integrate with the other ADSi software products

Vendor's Certification of Sole Source attached: ☒ Yes ☐ No	Vendor's proposal submitted: ☒ Yes ☐ No

MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued.	
Place Order To	Remit To
Vendor Name: Application Data Systems, Inc. (ADSi)	Vendor Name: Application Data Systems, Inc. (ADSi)
Vendor Address: 1930 1ˢᵗ Commercial Dr., Southaven, MS 38671	Vendor Address: 1930 1ˢᵗ Commercial Dr., Southaven, MS 38671

By my signature, I certify that, to the best of my professional knowledge: the requested product or services are a sole source as outlined in the ITS Procurement Handbook, Rule 207.2:013-030 Procurement Types: Sole Source, and as outlined in Mississippi Code annotated Section 31-7-13. In addition, I acknowledge that there is a charge for ITS procurement services associated with this request which will be billed to the requestor by ITS and that my agency/public university is responsible for these charges/costs.

Clay Johnston, MIS Director
Name (Agency Head or Public University CIO)/Title

Signature _Clay Johnst_   6.1.21
Date

March 17, 2021

Clay Johnston
Mississippi Department of Public Safety
1900 Woodrow Wilson Ave
Jackson, MS 39205

Re: Sole Source Statement

Please use this letter as an official "Sole Source Statement" by Application Data Systems, Inc. (ADSi).

All ADSi software currently installed and in use by MDPS, including CADForce, MapForce, MDTForce, AVLForce, and all DataForce modules, including Case Management, are sole source and proprietary products of ADSi.

All ADSi software is manufactured, maintained, supported, trained, and sold exclusively by ADSi. There are no other entities authorized by ADSi to resell ADSi software or services. All ADSi software is designed to seamlessly integrate with the other ADSi software products.

If you have any questions or need further information, please feel free to contact us.

Sincerely,

Joel House, CEO
ADSi

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website (www.its.ms.gov).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1.   The product or services being purchased must perform a function for which no other product or source of services exists,

2.   The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND

3.   The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment B.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1.   An explanation about why the amount to be expended is reasonable, and

2.   An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of $5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over $5,000 but not over $50,000 (not over $25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than $5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to $250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification

above $5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above $250,000 lifecycle cost require ITS approval.

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS. The customer's Sole Source Certification Request for this project is included as Attachment A.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.